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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,919	12/22/2003	David Carroll Challenger	RPS920030244US1	8405
63203	7590	06/03/2009		
ROGITZ & ASSOCIATES 750 B STREET SUITE 3120 SAN DIEGO, CA 92101			EXAMINER SIMITOSKI, MICHAEL J	
			ART UNIT 2439	PAPER NUMBER
			MAIL DATE 06/03/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10748919	12/22/03	CHALLENGER ET AL.	RPS920030244US1

ROGITZ & ASSOCIATES
750 B STREET
SUITE 3120
SAN DIEGO, CA 92101

EXAMINER

MICHAEL J. SIMITOSKI

ART UNIT	PAPER
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2439

20090602

DATE MAILED:

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Commissioner for Patents

1. The Board of Patent Appeals and Interferences affirmed the rejection(s) against independent claim(s) 1, 7, 14 & 19, but reversed all rejections against claim(s) 3, 6, 16 & 21 dependent thereon. There are no allowed claims in the application. The independent claim(s) is/are cancelled by the examiner in accordance with MPEP § 1214.06. Applicant is given a ONE MONTH TIME PERIOD from the mailing date of this letter in which to present the dependent claim(s) in independent form to avoid ABANDONMENT of the application. It is noted that claims 4 & 17 are alternative embodiments to claims 3 & 16, respectively; if the independent claims are amended to include the subject matter of claims 3 & 16, claims 4 & 17 will be indefinite. NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED. Prosecution is otherwise closed.

/Michael J Simitoski/
Primary Examiner, Art Unit 2439